

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 5**

**THE FISHEL COMPANY D/B/A TEAM FISHEL**

**Employer**

**Case 5-CA-182197**

**and**

**INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, LOCAL UNION 126,  
AFL-CIO**

**Union**

**MOTION OF THE FISHEL COMPANY TO  
POSTPONE THE HEARING DATE**

The Fishel Company d/b/a Team Fishel ("Fishel" or the "Company"), by counsel, respectfully moves to postpone the hearing date from August 10, 2017 to on or after August 22, 2017 pursuant to 29 C.F.R. § 102.16(a). In support of this Motion, Fishel states as follows:

1. By Order dated April 26, 2017, the hearing scheduled in this matter was set for August 10, 2017. Fishel, through its counsel, received the First Amended Charge, the Complaint and Notice of Hearing on April 27, 2017 via email.

2. The Human Resources group for Fishel currently has a meeting and job fair planned for the entire week of August 7, 2017, including the current trial date August 10. Fishel employees that will be unavailable on that date include the Vice President of Human Resources and the Human Resources Manager. These individuals are likely to be essential witnesses at trial, since the Human Resources department is responsible for establishing and maintaining the policies at issue in this matter.

3. Fishel has not made any previous requests for the postponement of the trial in this matter and the request is being made well in advance of 21 days before the scheduled hearing date of August 10, 2017.

4. Due to previously scheduled commitments of the undersigned counsel, he will not be available for the trial until on or after August 22, 2017.

5. Prior to the filing of this motion, the undersigned counsel contacted Michael Simmonds, Organizer for the Union, to explain why Fishel was filing a motion to postpone and asked for his position on the request. Mr. Simmonds represented that he was not opposed to such a postponement. Mr. Simmonds is available the dates of August 22 through August 25, 2017, but is not available during August 27 through September 3, 2017.

WHEREFORE, Fishel respectfully requests that its Motion be granted and that the hearing date be moved to a date on or after August 22, 2017.

Respectfully submitted,

THE FISHEL COMPANY D/B/A TEAM FISHEL

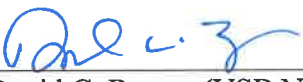
By: 

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 1, 2017 the foregoing MOTION OF THE FISHEL COMPANY  
TO POSTPONE THE HEARING DATE was served via email on:

Michael Simmonds  
3455 Germantown Pike  
Collegeville, PA 19426  
msimmondsibew126@gmail.com

By:   
David C. Burton (VSB No.: 33178)  
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